UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

CLINT CANEMPA, : 797 Sussex Avenue East :

Tenino, WA 98589

:

Plaintiff

:

vs. :

UNITED STATES DEPARTMENT : OF THE ARMY ::

104 Army Defense Pentagon : Washington, D.C. 20310 :

:

Defendant :

COMPLAINT

Introduction

- This is an action to obtain records under the Freedom of Information Act, 5
 U.S.C. §552 and Privacy Act, 5 U.S.C. § 552a.
- 2. Plaintiff is Clint Canepa, retired member of the Washington State National Guard.
- 3. Defendant is the United States Army.
- 4. This Court has jurisdiction pursuant to 28 U.S.C. § 1331.

Factual Background

5. Plaintiff served on active duty in Iraq and was determined to have a combat-

- related disability by the Army Physical Disability Agency.
- 6. Plaintiff applied for Combat Related Special Compensation (CRSC) and was denied those benefits by the Army.
- 7. Even though the same evidentiary standards are utilized by the Army for determining combat-relatedness for disability purposes and for CRSC purposes, the Army determined that Plaintiff had not shown his disability was combat related for CRSC purposes.
- 8. This complaint relates to two Freedom of Information Act/Privacy Act (FOI/P) requests submitted by Plaintiff in order to obtain information relevant to his CRSC claim and the standards used by the CRSC program in adjudicating his claim.
- 9. Both requests were submitted to the Army through the FOIA.GOV web site on June 27, 2019. The Army is a participating agency in the FOIA.GOV portal. The content of each FOI/P request is contained in the receipt documents generated by the FOIA.GOV web site that is attached hereto as Exhibits "A" and "B".
- 10. The Army has not responded to the requests within the time provided by law.
 Accordingly, Plaintiff has exhausted his administrative remedies.

Relief Requested

WHEREFORE, Plaintiff prays that this Honorable Court:

- a. Order Defendant to release the requested documents on a timely basis;
- b. Award Plaintiff attorney fees and costs.

Respectfully submitted s/Jason W. Manne
Jason W. Manne
Attorney at Law
DC Bar No. 1018840

Dated: September 11, 2019

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